

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q87920

Praveen SHARMA, et al.

Appln. No.: 10/535,414

Group Art Unit: 1634

Confirmation No.: 7331

Examiner: Steven C. Pohnert

Filed: May 1, 2006

For: PRODUCT AND METHOD

SUPPLEMENTAL SUBMISSION REGARDING THE SUBSTITUTE SPECIFICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Supplemental Submission is to clarify that the changes made to the Substitute Specification submitted October 3, 2008 contains no new matter.

The as-filed original Specification contained sequences non-consecutively numbered as Sequence IDs. All the sequences disclosed in the as-filed original specification are the same sequences listed in the Sequence Listing filed May 1, 2006. As previously explained in the Amendment filed October 3, 2008, these Sequence IDs at pages 72-123 and pages 124-279 of the specification were merely consecutively numbered in the Substitute Specification filed October 3, 2008¹, to correspond to the sequences listed in the Sequence Listing filed May 1, 2006. Thus, no new matter is added from the mere renumbering of the SEQ IDs in the Substitute Specification to correspond to the consecutively numbered SEQ ID NOs in the Sequence Listing. Furthermore, because the Sequence Listing filed May 1, 2006 contains all the sequences

¹ It is noted that the Substitute Specification at pages 72-123 and pages 124-279 were amended to be the same as the amended pages attached to the International Preliminary Examination Report filed with the original Specification on May 19, 2005.

disclosed in the as-filed specification, the Sequence Listing is in compliance with C.F.R. §§ 1.821(c) and (d).

With regard to the sequences indicated as “missing”, as previously explained in the Amendment filed October 3, 2008, these “missing” sequences in the Tables at pages 72-121 are not missing insofar as they are referenced in the Tables, because no actual sequences were provided in the original disclosure at pages 124-279 for these “missing” sequences or the Sequence Listing originally submitted therewith.

Thus, while the pagination of the Substitute Specification filed October 3, 2008, somewhat differs from the original Specification, I have reviewed the changes in the Substitute Specification and no new matter is added.

Respectfully submitted,

/Tu A. Phan/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 11, 2009

Tu A. Phan, Ph.D.
Registration No. 59,392